

REMARKS

The Office Action of March 20, 2003 has been received and contents carefully considered.

The Examiner has not acknowledged applicants' claim for priority, or receipt of the certified copy of the priority document. Applicants request the Examiner to do so.

The Examiner has made of record the telephone restriction requirement and applicants election of the invention of Group 1, claims 1 to 5. The Examiner states that applicants must affirm this election when replying to the present Office Action. Applicants hereby affirm this election.

Claims 1 and 2 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,511,600 to Ohtani.

The Examiner states that although the conflicting claims are not identical, they are not patentably distinct from each other because the limitations of the present claims are overlapped by the limitations of claim 1 of the patent in that the pellet properties are inherent properties of the selected polysulfone polymers of the claimed formula.

Applicants have amended claims 1 and 2 to direct them to a pellet regenerated from a filter cartridge. The claims of the Ohtani '600 patent are not directed to a pellet. Accordingly, applicants submit that claims 1 and 2 are patentable over claim 1 of Ohtani '600 and, therefore, request withdrawal of this rejection.

Applicants note that new claims 7 to 9 have been added that are directed to a filter cartridge. Although claim 1 of the Ohtani '600 patent claims a cartridge filter in which all of the members of the cartridge are made from a polysulfone polymer, applicants submit that claim 1 of

AMENDMENT UNDER 37 C.F.R. § 1.111

U.S. Application No. 09/993,506

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the Ohtani '600 patent does not contain any disclosure or suggestion that would render obvious the subject matter of new claims 7 to 9. Contrary to the Examiner's statement, the properties of the polyether sulfone that are set forth in claims 7 to 9 of the present application are not inherent in all polysulfones.

Claims 1 to 5 have been rejected under the second paragraph of 35 U.S.C. § 112 as indefinite.

The Examiner states that the claims are unclear as to whether the filter cartridge or the pellets with the claimed properties are intended.

In response, applicants have amended claims 1 to 5 to direct them to the pellets.

In view of the above, applicants request withdrawal of this rejection.

As noted above, applicants have added new claims 7 to 9 which are directed to a filter cartridge.

In Paragraphs 10, 12 and 13 of the Office Action, the Examiner sets forth three separate rejections of the claims over prior art. Each of these rejections is based on EP 1057520 to Ohtani.

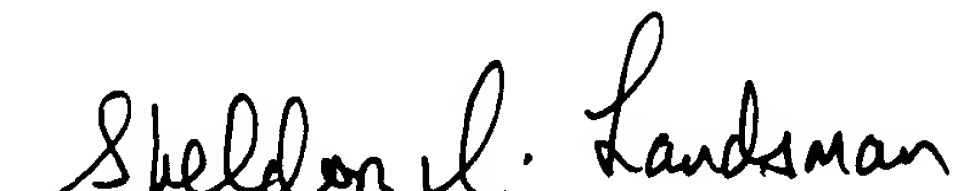
Applicants submit that the Ohtani EP '520 document cannot be used as a reference against the present claims. The EP '520 document was published on December 6, 2000, which is less than one year from the November 27, 2001 U.S. filing date of the present application. Further, the EP '520 document is in the name of Sumio Ohtani, which is the same inventor as the present application. Under these circumstances, EP '520 does not qualify as prior art under 35 U.S.C. § 102(a) or (b) and, therefore, cannot be used as a reference to reject the present claims.

Accordingly, applicants request withdrawal of each of these three rejections, because EP '520 is not a valid reference against the present claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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PATENT TRADEMARK OFFICE

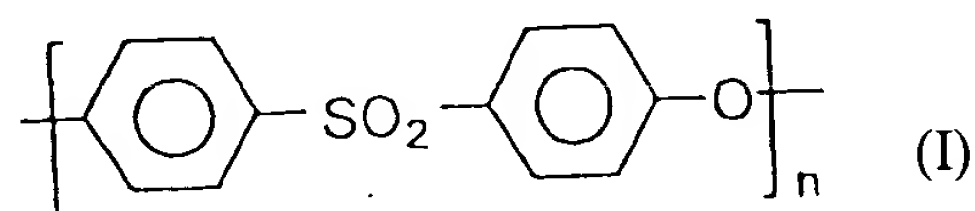
Date: June 20, 2003

APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

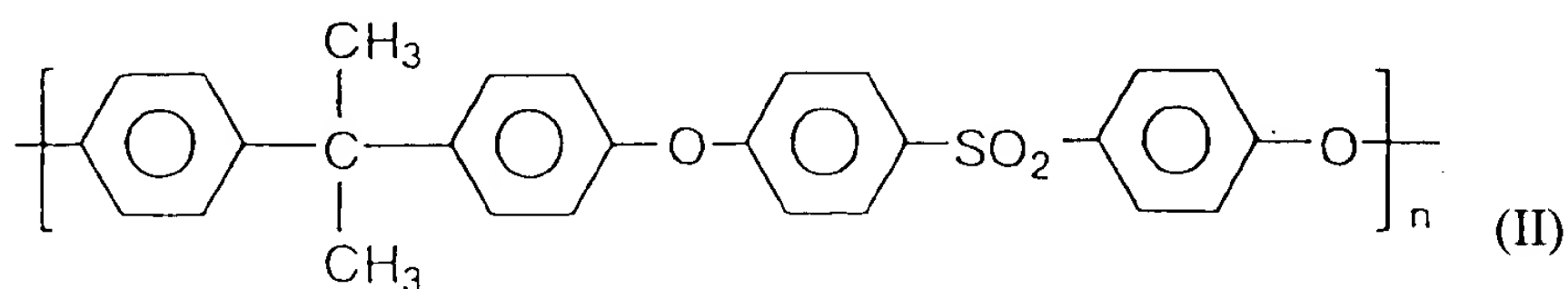
The claims are amended as follows:

1. (Amended) A pellet regenerated from a filter cartridge for precision filtration comprising members of a micro-porous filtration membrane, a membrane support, a core, an outer cover and end plates, all of said members being made of polyether sulfone represented by formula (I):



wherein a reduced viscosity of [pellets regenerated from said filter cartridge] the pellet is not lower than 0.36 and lower than 0.45.

2. (Amended) A pellet regenerated from a filter cartridge for precision filtration comprising members of a micro-porous filtration membrane, a membrane support, a core, an outer cover and end plates, all of said members being made of polysulfone represented by formula (II):



wherein a melt flow rate of [pellets regenerated from said filter cartridge] the pellet is not lower than 5.0 and lower than 9.0.

3. (Amended) The [filter cartridge for precision filtration] pellet as in Claim [1]2, wherein at least one of said members is formed by hot melt molding, and then subjected to annealing treatment.

4. (Amended) The [filter cartridge for precision filtration] pellet as in Claim [1]3, wherein said annealing treatment is carried out at a temperature of 140 to 200°C for four hours or longer.

5. (Amended) The [filter cartridge for precision filtration] pellet as in Claim 1, wherein said cartridge assembled is cleaned with a dilute acid and with hot ultra-pure water having a temperature of from 50°C to 100°C.

Claims 7 to 9 are added as new claims.